

**FAX TRANSMISSION**

RECEIVED  
CENTRAL FAX CENTER  
FEB 03 2006

DATE: February 3, 2006

PTO IDENTIFIER: Application Number 09/767370-Conf. #2716  
Patent Number

Inventor: Jeffrey L. BROWNING et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: LAHIVE & COCKFIELD, LLP  
Cristin E. Howley, Ph.D.

PHONE: (617) 227-7400

Attorney Dkt #: BGNA054RCE2

PAGES (Including Cover Sheet): 54

CONTENTS: Transmittal (1 page)  
Supplemental Information Disclosure Statement (2 pages)  
PTO Form SB/08 (1 page)  
Certificate of Transmission (1 page)  
Copy Reference B1 (48 pages)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

LAHIVE & COCKFIELD, LLP  
28 State Street, Boston, Massachusetts 02109  
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

RECEIVED  
CENTRAL FAX CENTER

FEB 03 2006

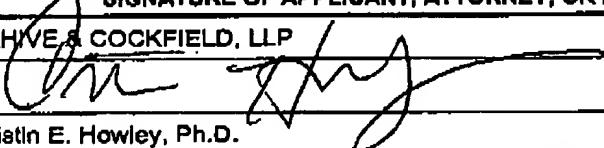
PTO/SB/21 (08-04)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

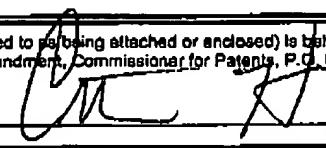
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number 09/767370-Conf. #2716
		Filing Date January 23, 2001
		First Named Inventor Jeffrey L. BROWNING
		Art Unit 1643
		Examiner Name C. H. Yaen
Total Number of Pages in This Submission		Attorney Docket Number BGNA054RCE2

<b>ENCLOSURES (Check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): PTO Form SB/08 Copy of Reference B1 Certificate of Transmission
Remarks		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Cristin E. Howley, Ph.D.		
Date	February 3, 2006	Reg. No.	55,281

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (671) 273-8300 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

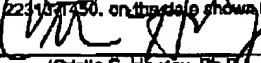
Dated: February 3, 2006

Signature: 

(Cristin E. Howley, Ph.D.)

FEB 03 2006

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-6300 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 3, 2006 Signature:   
(Chaelin E. Howley, Ph.D.)

Docket No.: BGNA054RCE2  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Jeffrey L. Browning *et al.*

Application No.: 09/767370

Confirmation No.: 2716

Filed: January 23, 2001

Art Unit: 1643

For: ***METHOD FOR THE HIGH LEVEL  
EXPRESSION OF ACTIVE LYMPHOTOXIN-  
BETA RECEPTOR IMMUNOGLOBULIN  
CHIMERIC PROTEINS AND THEIR  
PURIFICATION***

Examiner: C. H. Yaen

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (SIDS)**

Dear Sir:

In accordance with 37 CFR 1.97, Applicant hereby makes of record the following additional documents. A PTO Form SB/08 and a full copy of the cited PCT document as required under 37 CFR 1.98(a)(2) is accompanied with this statement.

This Supplemental Information Disclosure Statement is filed before the mailing of the first office action after the filing of a Request for Continued Examination in accordance with CFR 1.114. As such, Applicant believes no fee is due, and respectfully requests that this Supplemental Information Disclosure Statement for consideration.

In addition to the references cited on enclosed PTO Form SB/08, Applicant also cites the following commonly owned copending applications directed to related subject: U.S. Application No. 09/299,139; U.S. Application No. 09/626,219; and U.S. Application No. 09/931,402.

Application No.: 09/767370

Docket No.: BGNA054RCE2

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application in accordance with 37 CFR 1.98(a)(2)(ii). Applicant submits herewith a copy of the foreign patent in accordance with 37 CFR 1.98(a)(2).

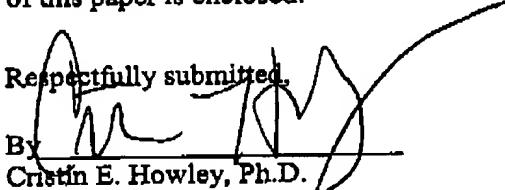
This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicant understands the Examiner will make an independent evaluation of the cited documents.

Applicant believes no fee is due at this time. If, however, Applicant's understanding is incorrect, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 12-0080, under Order No. BGNA054RCE2. A duplicate copy of this paper is enclosed.

Dated: February 3, 2006

AEM/CHC/mch

Respectfully submitted,



By \_\_\_\_\_  
Cristin E. Howley, Ph.D.  
Registration No.: 55,281  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400  
(617) 742-4214 (Fax)  
Agent For Applicant

PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 144BA/B/PTO				Complete If Known	
				Application Number	09/787370-Conf. #2718
				Filing Date	January 23, 2001
				First Named Inventor	Jeffrey L. BROWNING
				Art Unit	1643
				Examiner Name	C. H. Yaen
Sheet	1	of	1	Attorney Docket Number	BGNA054RCE2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number+Kind Code <sup>2</sup> (If known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
A1*	US-5,861,004	08-26-1997	Browning et al.		
A2*	US-5,870,149	09-23-1997	Browning et al.		
A3*	US-5,785,984	08-18-1998	Browning et al.		
A4*	US-5,925,351	07-20-1999	Browning et al.		
A5*	US-6,312,891	11-06-2001	Browning et al.		
A6*	US-6,403,087	06-11-2002	Browning et al.		
A7*	US-20020197254-A1	12-26-2002	Browning et al.		
A8*	US-6,668,941	12-30-2003	Browning et al.		
A9*	US-20040198835-A1	10-07-2004	Browning et al.		
A10*	US-20050037003-A1	02-17-2005	Browning et al.		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> +Number <sup>4</sup> +Kind Code <sup>5</sup> (If known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
B1	WO-94/06476-A1		03-31-1994	Immunex Corporation	T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.88(a)(2)(ii)) because that application was filed after June 30, 2003 or is available in the PTO. \* Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Code of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
--------------------	-----------------

PTO/SB/97 (08-04)

Approved for use through 07/31/2008. OMB 0651-0031

U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

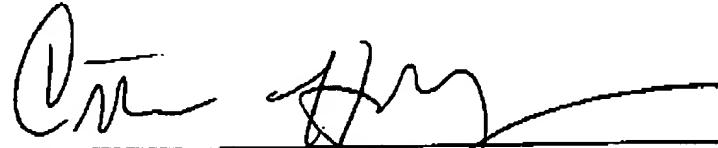
Application No. (If known): 09/767370

Attorney Docket No.: BGNA054RCE2

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on February 3, 2006  
Date



Signature

Cristina E. Howley, Ph.D.

Typed or printed name of person signing Certificate

55,281  
Registration Number, if applicable

(617) 227-7400  
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal (1 page)  
Supplemental Information Disclosure Statement (2 pages)  
PTO Form SB/08 (1 page)  
Copy Reference B1 (48 pages)